

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Janet Gooding	Team: Team # 4	CCRB Case #: 200401404	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 02/16/2004 12:01 AM	Location of Incident: § 87(2)(b)	Precinct: 43	18 Mo. SOL 8/16/2005	EO SOL 8/16/2005	
Date/Time CV Reported Mon, 02/16/2004 11:15 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 02/16/2004 11:15 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Christop Shoulders	01161	902417	PBBX
2. POM Daniel Acosta	11677	924863	PBBX

Officer(s)	Allegation	Investigator Recommendation
A.POM Daniel Acosta	Abuse: PO Daniel Acosta refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
B.POM Christop Shoulders	Discourtesy: PO Christop Shoulders spoke obscenely and rudely to § 87(2)(b)	§ 87(2)(b)

## Synopsis

§ 87(2)(b) provided the following details of this incident during a telephone conversation on February 23, 2004.

According to § 87(2)(b) he was walking his dog, a 6 year-old Rotweiller, near his home located at § 87(2)(b) in the Bronx at about midnight on February 16, 2004. A police patrol car pulled up next to § 87(2)(b) and he walked over to the car. He asked the passenger officer, PO Daniel Acosta, what the problem was. PO Acosta replied, "You are the problem. You are walking your dog at this hour? Do you have paperwork for the dog?" § 87(2)(b) replied that he did not have the paperwork but the dog was wearing his tags. PO Acosta told him that he "is supposed to be carrying the papers at all times." § 87(2)(b) remarked, "Excuse me? You are being rude and loud." At that point, § 87(2)(b) asked PO Acosta for his badge number. PO Acosta replied, "This is my badge number" and pointed to the badge number on his uniform. § 87(2)(b) did not see the officer's badge number but obtained the officer's tax number from the summons he subsequently received. Another officer sitting in the back seat whom § 87(2)(b) believed was a "high ranking officer" because he had "two stripes" said, "You want badge numbers? You could have my badge number. How rude are you? You better shut the fuck up." This officer grabbed his badge and "put it in" § 87(2)(b)'s face." § 87(2)(b) obtained that badge number as 1161 and this officer was subsequently identified as PO Christopher Shoulders. PO Acosta issued summons § 87(2)(b) to § 87(2)(b) for § 87(2)(b) § 87(2)(b).

§ 87(2)(b) chose to have this complaint mediated § 87(2)(b). The case was submitted to the ADR unit on February 27, 2004 but returned for a full investigation on July 16, 2004, because the Disciplinary Assessment Unit rejected PO Daniel Acosta and PO Christopher Shoulders as acceptable candidates for mediation.

During a telephone conversation with § 87(2)(b) on August 5, 2004, he stated that he wanted to withdraw his complaint. He stated that he only wanted an apology from the subject officers and did not want to pursue a full investigation. § 87(2)(b) stated that the decision was made of his own free will and he was not coerced into making the decision.

The conversation with § 87(2)(b) is recorded on the enclosed audio tapes. Assistant Supervisor Jessica Long listened to the conversation and verified § 87(2)(b)'s decision to withdraw the complaint.

A withdrawal letter was mailed to § 87(2)(b) on August 5, 2004. The signed statement will be added to the case file upon its receipt.

Investigator: Janet Gooding

Date: August 7, 2004

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: